

Appl. No. 10/687, 443

Amdt. Dated December 28, 2005

Reply to Office Action of September 29, 2005

AMENDMENTS TO THE DRAWINGS

Applicant has submitted replacement sheets of drawings including revised Figures 1, 2, 3, and 4.

The attached sheets of drawings include changes to Figure 2 and Figure 4. These sheets replace the original sheets, which include Figures 2 and 4. In Figure 2, "MIC-1 PTT" has been changed to -- MIC 2-to PTT--. In Figure 4, reference numeral 234 has been changed to 232, reference numeral 231 has been changed to 235, and reference numeral 223 has been added.

Please also note that the title on all of the replacement sheets of drawings has been changed to "STUCK MICROPHONE DESELECTION SYSTEM AND METHOD" in order to match the title on the specification.

REMARKS

This is a full and timely response to the non-final Office action mailed September 29, 2005. Reexamination and reconsideration in view of the foregoing amendments and following remarks is respectfully solicited.

Objections to the Drawings

The Examiner stated that the drawings are objected to as failing to comply 37 CFR 1.84(p)(4) because reference character "231" has been used to designate both of the outcome of query "230" is NO and if the outcome of query "234" is NO in Figure 4. The Examiner also stated that the reference character "234" has been used to designate both TRANSCVR ON/TIMER ON and $TIMER \geq TC$ in Figure 4.

The Examiner stated that the drawings are objected to as failing to comply with 37 CFR 1.84 (p)(5) because they do not include reference numerals 223, 232, 235 as mentioned in paragraph 0028.

Applicant has submitted replacement sheets of drawings including a revised Figure 4 in which the reference numerals have been appropriately corrected.

Objections to the Specification

The Examiner stated that the disclosure is objected to because of the following informalities: The term "boom mike PTT switch 24" in paragraph [0016] should be replaced with --boom mike PTT switch 26--.

The specification has been appropriately amended.

Claim Objections

The Examiner stated that claims 7-11 are objected to because of the following informalities: the preamble of claim 7 discloses, among other things, "a radio transmitter," i.e., a single radio transmitter; however, in lines 6-7 and 10, claim 7 recites "each of the radio transmitters" and "one of the radio transmitters," respectively, i.e., a

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plurality of radio transmitters additionally, the numbering of the steps in claim 7 should be corrected. The Examiner further stated that appropriate correction is required.

Claim 7 has been appropriately amended.

The Examiner stated that claims 9, 10, and 14 are objected to because of the following informalities: the dependency of the claims is incorrect. The Examiner also stated that claim 9 recites an apparatus claim depending on claim 1 which is based on a system claim, and claim 14 recites a method claim depending on claim 11 which is based on a apparatus claim.

Claims 9 and 14 have been appropriately amended.

Rejections Under 35 USC § 102

The Examiner rejected claims 12-14 under 35 USC § 102(b) as being anticipated by Battin.

Claim 12 has been amended to include disabling a stuck PTT switch without affecting the activity of the other PTT switches. Specifically, claim 12 includes the limitation "inhibiting the signal representative of the position of the PTT switch that is in the STUCK-ON condition from being from received by each radio transmitter without affecting the activity of other PTT switches available to be coupled to the one or more radio transmitters."

Battin discloses a control system for limiting duration of continuous transmission of a transmitter operating with other transmitters on a single channel (Abstract). The transmitter has a timing unit which measures the continuous transmission time of the transmitter each time it is activated for transmission. The timing unit indicates the expiration of a predetermined time limit and actuates a control for blocking further emission by the transmitter. (col. 1, lines 63 - 67) upon the expiration of the predetermined time limit, an indicating signal is provided for an operator. Upon termination of a transmission, as by the release of a push-to-talk button, the timing unit is automatically reset for permitting another continuous transmission up to the predetermined time limit. (col. 2, lines 5-15) Battin makes no mention of multiple PTT

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switches. Specifically, Battin does not disclose disabling a stuck PTT switch without affecting the activity of the other PTT switches.

Therefore, claim 12 is not anticipated by Battin because claim 12 includes a limitation that is not disclosed in Battin.

Claims 13 and 14 are dependent on claim 12 and should be allowable for at least the same reasons as claim 12 stated above.

Applicant, accordingly, respectively requests withdrawal of the rejections of claims 12-14 under 35 U.S.C. § 102b as being anticipated by Battin.

The Examiner rejected claims 1, 3, 4, 12, 13, and 15 under 35 U.S.C. § 102b as being anticipated by Rutty.

Claims 1, 12 and 15 have been amended to include disabling a stuck PTT switch without affecting the activity of the other PTT switches. Specifically, claim 1 includes the limitation "to selectively disable transmission from one or more of the radios without affecting the activity of other PTT switches available to be coupled to the plurality of radios." Claim 12 includes the limitation "inhibiting the signal representative of the position of the PTT switch that is in the STUCK-ON condition from being received by each radio transmitter without affecting the activity of other PTT switches available to be coupled to the one or more radio transmitters." Claim 15 includes the limitation "to selectively supply one or more radio disable signals without affecting the activity of the other PTT switches."

Rutty discloses a stuck microphone reliever intended for retro thing to an aircraft voice communication radio. The radio also includes ground connection – activated push-to-talk circuitry. (col. 4, lines 46-51) upon actuation of the push-to-talk circuitry, voltage from a timing capacitor is effectively applied between a control gate terminal and a main terminal to cause the control conduction element of the stuck microphone reliever to conduct until the timing capacitor is discharged to a point where the voltage supplied to the control gate terminal is no longer an excess of the thresh hold voltage. (col. 6, lines 66-Column 7, and line 6) a step off device and a stuck microphone reliever are combined in a single device. The step off device portion senses when a selected radio frequency is

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in use, and when in use, prevents transmission even when the microphone switch circuit is operated. The stuck microphone reliever includes a transmitter – disabling means connected to the microphone switch circuit for limiting any transmission to a predetermined duration even though the microphone switch circuit is activated for a longer duration. (Abstract) Rutty makes no mention of multiple PTT switches and the ability to selectively disable only one of the switches. Specifically, Rutty does not disclose disabling a stuck PTT switch without affecting the activity of the other PTT switches.

Therefore, claims 1, 12, and 15 are not anticipated by Rutty because claims 1, 12, and 15 include limitations that are not disclosed in Rutty.

Claims 3, 4, and 13 are dependent on either claim 1 or claim 12 and should be allowable for at least the same reasons as claims 1 and 12 stated above.

Applicant, accordingly, respectfully requests withdrawal of the rejections of claims 1, 3, 4, 12, 13, and 15 under 35 U.S.C. § 120(b) as being anticipated by Rutty.

Rejections Under 35 USC § 103

The Examiner rejected claim 2 under 35 U.S.C. § 103(a) as being unpatentable over Rutty in view of Clark.

Claim 2 is dependent on claim 1 and should be allowable for at least the same reasons as claim 1 stated above.

Applicant, accordingly, respectfully requests withdrawal of the rejection of Claim 2 under 35 U.S.C. § 103(a) as being unpatentable over Rutty in view of Clark.

The Examiner rejected claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Rutty in view of Scheuer.

Claim 5 is dependent on claim 1 and should be allowable for at least to be the same reasons as claim 1 stated above.

Applicant, accordingly, respectfully requests withdrawal of the rejection of Claim 5 under 35 U.S.C. § section 103a as being unpatentable over Rutty in view of Scheuer.

The Examiner rejected claim 6 under 35 U.S.C. § 103(a) as being unpatentable over Rutty in view of Battin.

Claim 6 is dependent on claim 1 and should be allowable for at least the same reasons as claim 1 stated above.

Applicant, accordingly, respectfully requests withdrawal of the rejection of claim 6 under 35 U.S.C. § section 103a as being unpatentable over Rutty in view of Battin.

The Examiner rejected claims 7 and 9 under 35 U.S.C. § 103a as being unpatentable over Rutty in view Scheuer and Yao.

Claim 7 includes disabling a stuck PTT switch without affecting the activity of the other PTT switches. Specifically, Claim 7 includes the limitation "place the selected radio transmitter and STANBY without affecting the activity of the other PTT switches available to be coupled to the plurality radio transmitters."

As previously mentioned, Rutty does not disclose disabling a stuck PTT switch without affecting the activity of the other PTT switches.

Scheuer discloses a device that allows a pilot to switch between communication in navigation inputs without disrupting the pilot's current task (Abstract) the device includes an audio selector panel with a remote switch that allows the pilot to switch between communication transceivers, or other communication/navigation devices, without removing his or her hands from a flight control mechanism. In one embodiment, a momentary switch is attached to the yoke in a position where the pilot can reach the switch without removing his or her hands from the yoke. The remote swap switch is connected to the audio selector panel and causes the audio selector panel to switch between two communication transceivers. Scheuer thus discloses a device for switching between communication devices without a pilot having to remove his or her hands from a navigation control. Scheuer makes no mention of disabling a stuck PTT switch without affecting the activity of the other PTT switches. Specifically, Scheuer does not teach or suggest disabling a stuck PTT switch without affecting the activity of the other PTT switches.

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Yao teaches an apparatus to prevent system deadlock in a dispatch system by monitoring link activity (Abstract). When a remote unit user presses the push-to-talk button, a communications manager may grant the remote unit system talker privileges so that his voice signal is broadcast to the other remote units which are members of the dispatch system. When the remote unit user releases the push-to-talk button, the communications manager denies the remote unit system talker privileges thus freeing the system for other remote units to have the system for talker privileges. (col. 2, lines 50-58). If the remote units push-to-talk button becomes stuck down, the remote unit retains system talker privileges thus preventing other remote units from getting a grant of system talker privileges. The present invention monitors the voice activity of the signal received from the remote unit at the base station.

If the voice activity falls below a certain level, it is assumed that the remote unit is no longer in need of system talker privileges and the base station generates a sera gate indication that the push-to-talk button has been released which is sent to the communications manager. In this way the communications manager is free to grant system talker privileges to another remote unit. (col. 2, line 58 – col. 3, line 3)

Yao thus teaches monitoring voice activity of a signal received from a remote unit and generating a sera gate signal that the push-to-talk button has been released when the voice activity falls below a certain level to allow other users to have system talker privileges. Specifically, Yao does not teach or suggest disabling a stuck PTT switch without affecting the activity of the other PTT switches.

Therefore, claim 7 is patentable over Rutty in view of Scheuer and Yao because claim 7 includes a limitation that is not taught or suggested in Rutty, Scheuer and Yao. claim 9 is dependent on claim 7 and should be allowable for at least the same reasons as claim 7 stated above.

Applicant, accordingly, respectively requests withdrawal of the rejections of claims 7, 8, and 9 under 35 U.S.C. § 103a as being unpatentable over Rutty in view of Scheuer and Yao.

The Examiner rejected claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Rutty in combination with Scheuer and Yao and further in view of Clark.

Claim 8 is dependent on claim 7 and should be allowable for at least the same reasons as claim 7 stated above.

Applicant, accordingly, respectively requests withdrawal of rejection of claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Rutty in combination with Scheuer and Yao and further in view of Clark.

The Examiner rejected claim 11 under 35 U.S.C. § 103(a) as being unpatentable over Rutty in view of Scheuer and Yao in view of Battin.

Claim 11 is dependent on claim 7 and should be allowable for at least the same reasons as claim 7 stated above.

Applicant, accordingly, respectively requests withdrawal of the rejection of claim 11 under 35 U.S.C. § 103(a) as being unpatentable over Rutty in combination of Scheuer and Yao and further in view of Battin.

Conclusion

Based on the above, independent claims 1, 7, 12, and 15 are patentable over the citations of record. The dependent claims are also submitted to be patentable for the reasons given above with respect to the independent claims and because each recite features which are patentable in its own right. Individual consideration of the dependent claims is respectfully solicited.

The other art of record is also not understood to disclose or suggest the inventive concept of the present invention as defined by the claims.

Hence, Applicant submits that the present application is in condition for allowance. Favorable reconsideration and withdrawal of the objections and rejections set forth in the above-noted Office action, and an early Notice of Allowance are requested.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the below-listed number.

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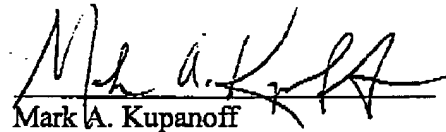
If for some reason Applicant has not paid a sufficient fee for this response, please consider this as authorization to charge Ingrassia, Fisher & Lorenz, Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

INGRASSIA FISHER & LORENZ

Dated: 12/29/05

By:



Mark A. Kupanoff

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ANNOTATED SHEET SHOWING CHANGES
TITLE: STUCK MICROPHONE DESELECTION MEANS AND METHOD

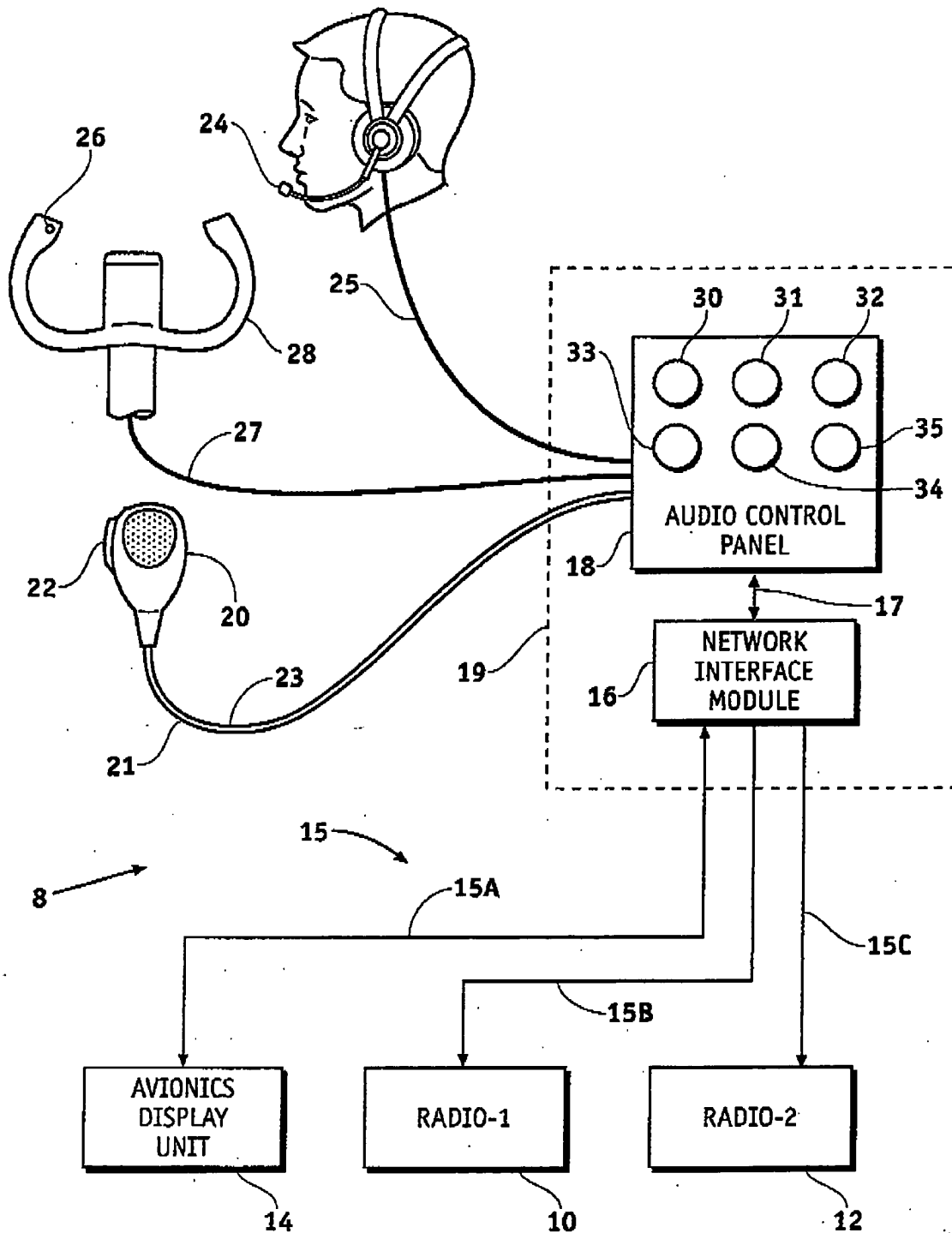
INVENTOR: Joe Reyes

DOCKET: H0004247

ATTY: Miriam Jackson; PHONE: (602) 436-2909

SYSTEM

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ANNULATED SHEET SHOWING CHANGES
TITLE: STUCK MICROPHONE DESELECTION MEANS AND METHOD

INVENTOR: Joe Reyes

DOCKET: H0004247

ATTY: Miriam Jackson; PHONE: (602) 436-2909

SYSTEM

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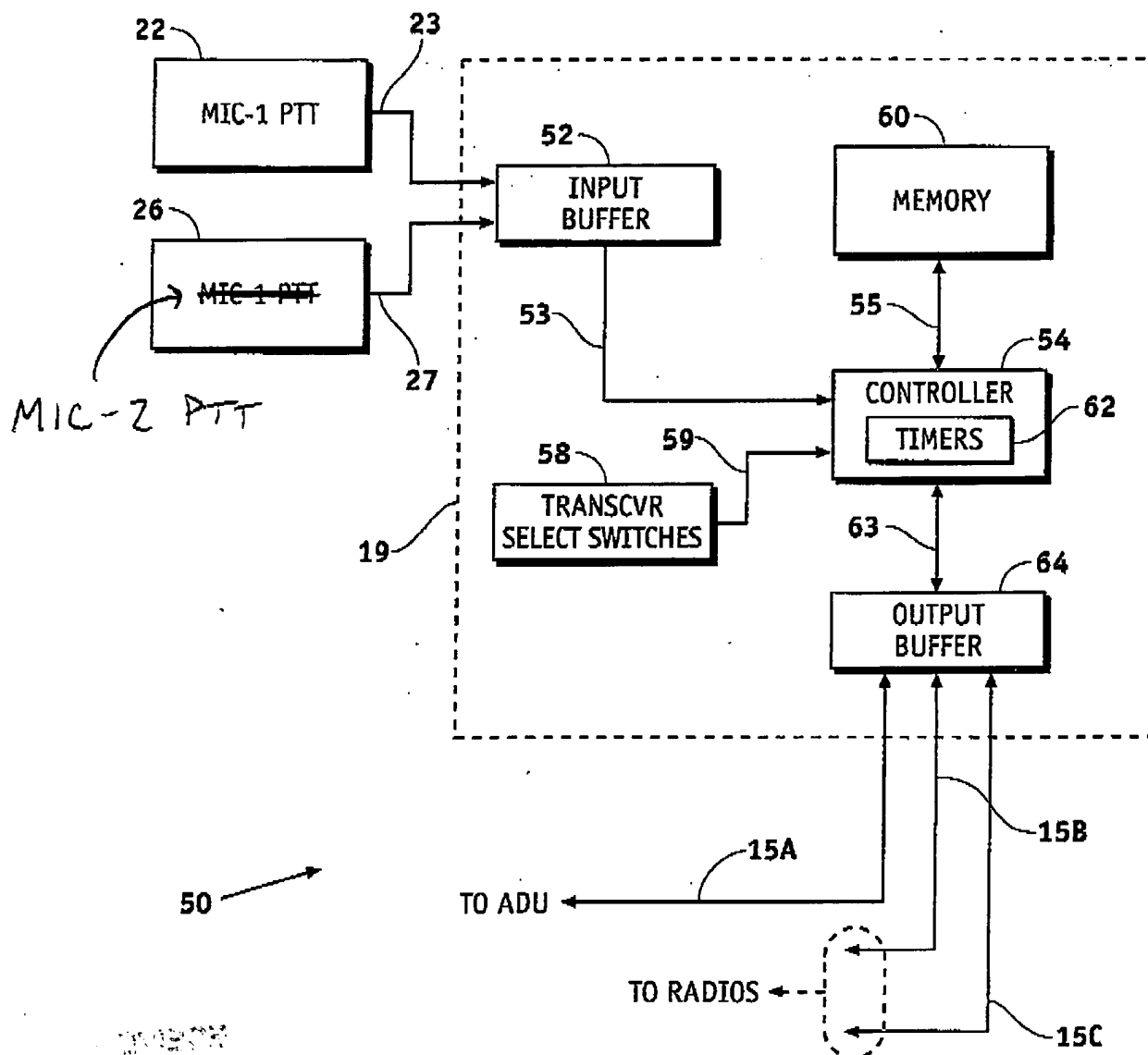


FIG. 2

ANNULATED SHEET SHOWING CHANGES
TITLE: STUCK MICROPHONE DESELECTION MEANS AND METHOD

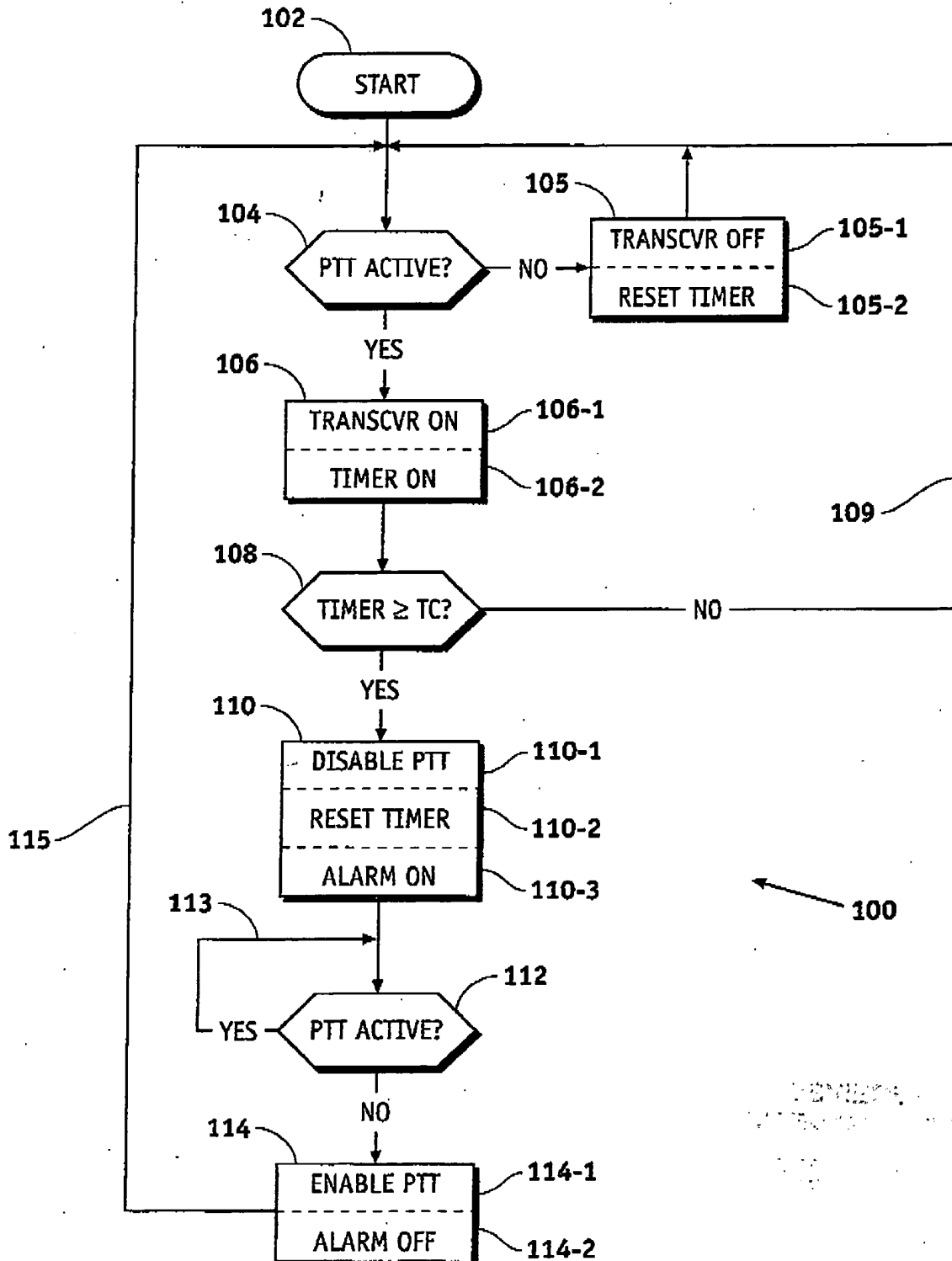
INVENTOR: Joe Reyes

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SYSTEM

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DOCKET: H0004247

SYSTEM

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